## REMARKS

### Claim Rejections – 35 U.S.C. § 112

The examiner rejected claims 1-31 for failing to comply with the written description requirement. The examiner contends that "a plurality of tracked transactions made by plural users," as previously recited by independent claims 1, 15, and 28, has no support in the specification. The examiner stated, "'a user' is usually used to mean one person, and the specification does not specifically define 'a user' to mean multiple users."

Applicant contends that this is an illogical construction of the claims and interpretation of the specification, especially in light of the scenarios described in the specification pertaining to information collected from multiple users over time.[1] Nowhere in the specification is "a user" construed to mean a solitary user. Nevertheless, to broaden the claims, and to advance prosecution, the claims have been amended to remove plural users. The claims have also been amended to recite multiple transaction requests.[2] As such, the claims cover analyzing transactions and the related follow-up responses to produce market research information whether from single or multiple users.

### Claim Rejections - 35 U.S.C. § 103

The examiner rejected claims 1-31 under 35 U.S.C. 103(a) as being unpatentable over Bennett (U.S. Patent 7,050,977) in view of Smith (U.S. Patent 6,853,982).

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[1] Specification, page 7, lines 27-29: "A program would add 134 "information on order" to the database i.e., that someone asked about a specific product. Follow-up messages with the user can be generated and analyzed statistically 136. " See also, page 8, lines 14-16: "Thus, the tracked transaction can be subsequently used for either specific marketing to that person or can be analyzed statistically to produce information used in market research."  
[2] Support for this amendment can be found in specification in, e.g., page 6, line 29 – page 7, line 13. ("The thought navigation process converts the transactions and any questions that the user may pose to the web server to concepts, and presents the user with further information related to the concepts.")

Claim 1 has been amended to require generating additional follow-up responses related to the transactions based on information stored in the database, and analyzing, statistically, the follow-up responses.[3]

As amended, claim 1 is neither described nor suggested by a combination of Bennett and Smith.

The examiner stated:

> Regarding claim 1, BENNETT teaches a computer implemented method of conducting commerce ("e-commerce applications", column 8, lines 44-45), the method comprising:
> receiving a transaction request from a user as text input ("outputs recognized speech text corresponding to the user's question", column 11, lines 14-15);
> using natural programming language to analyze the text input to build a conversation with the user based on the transaction request ("natural language engine 190 facilitates structuring the query to database 188", column 11, lines 20-22);
> conducting a transaction with the user based on the text input ("retrieves an appropriate answer", column 11, line 19);
> generating a voice-synthesized response in accordance with the transaction through an avatar ("expressed as oral feedback by animated character agent 157", column 11, lines 25-26);
> tracking the transaction by storing the transaction in the database ("noun phrases of the string are stored", column 25, line 7).
> BENNETT does not specifically teach analyzing, statistically, a plurality of tracked transactions made by plural users to produce market research information.
> In the same field of e-commerce, SMITH teaches analyzing, statistically, a plurality of tracked commercial transactions made by plural users to produce market research information (figure 3A, described column 14 line 44 to column 15 line 8, teaches histories for all users are considered in order to determine similar items and form there generate recommendations, which is in fact market research information. It is inherent that by using histories, statistical analysis is necessary in order to generate recommendations.)

Bennett and Smith neither disclose nor suggest generating and analyzing follow-up responses related to transactions based on information stored in the database, as called for by claim 1, whether those references are considered alone or in combination.

Bennett appears to describe storing questions for the purpose of determining an answer in a later processing step. Bennett does not describe generating and analyzing follow-up responses related to any transactions.

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[3] Support for this amendment can be found in the specification in, e.g., page 7, line 25 – page 8, line 4. ("A program would add 134 'information on order' to the database i.e., that someone asked about a specific product. Follow-up messages with the user can be generated and analyzed statistically 136.")

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Bennett states:

> As illustrated in FIG. 11C, the last part of the query/response process occurs by
> providing an appropriate matching answer/response to the user. Thus, an identity of a
> matching stored question is completed at step 1120. Next a file path corresponding to an
> answer of the identified matching question is extracted at step 1121. Processing continues
> so that the answer is extracted from the file path at 1122 and finally the answer is
> compressed and sent to client side system 150 at step 1123." (Col. 26, lines 1 – 14)

Thus, Bennett only discloses retrieving stored questions to extract an answer. Nothing in Bennett discloses or suggests generating and analyzing follow-up responses related to transactions based on the stored information. Bennett appears entirely silent on the matter of follow-up responses.

Further, Smith appears to describe making a list of recommendations from a list of items of interest to a user. Smith does not describe generating and analyzing follow-up responses related to transactions.

Smith states:

> "Briefly, given a unary listing of items that are "known" to be of interest to a user (e.g., a
> list of items purchased, rated, and/or viewed by the user), the Recommendation Service
> generates a list of additional items ('recommendations') that are predicted to be of
> interest to the user." (Col. 7, lines 27 – 32)

Smith does not generate and analyze additional follow-up response related to transactions stored in the database, as called for by claim 1. Smith only describes identifying a list of items of interest, and creating another list based on the first list. These lists are not follow-up responses, for example. Smith does not appear to analyze anything related to a generated follow-up response.

Thus, nothing in either Bennett or Smith or the combination of these references discloses or suggests at least these features of amended claim 1. Accordingly, claim 1 is allowable over Bennett in view of Smith.

Independent claims 15 and 28 are directed to similar subject matter as claim 1, and are patentable for analogous reasons as discussed above.

All of the dependent claims are patentable for at least similar reasons as those for the claims on which they depend are patentable.

Canceled claims have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

No fees are believed to be due. Please apply any charges or credits to deposit account 06-1050, referencing attorney docket 13151-0006001.

Respectfully submitted,

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